

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Civil Action No. CV-75-S-666-S
)	
JEFFERSON COUNTY, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	
)	
JOHN W. MARTIN, <i>et al.</i> ,)	
)	
Plaintiffs,)	
v.)	Civil Action No. CV-74-S-17-S
)	
CITY OF BIRMINGHAM,)	
ALABAMA, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	
)	
ENSLEY BRANCH OF THE)	
N.A.A.C.P., et al.,)	Civil Action No. CV-74-S-12-S
)	
Plaintiffs)	
v.)	
)	
GEORGE SEIBELS, et al.,)	
)	
)	
Defendants)	

Pursuant to this Court's Order of January 28, 2013 (Doc. 1771), counsel for the Martin-Bryant parties, the United States and Jefferson County, Alabama submit

this joint report on the status of their efforts to draft an interim plan for hiring and promotional decisions.

1. At the conclusion of the contempt trial on December 11, 2012, the County stipulated, and the Court so ordered, that the County would not engage in any hiring or promotions until the Court's entry of an interim order. (Trial Transcript, Vol. IX, pp. 89-90.)

2. The Court instructed Dr. Veres and the parties to confer with the Personnel Board of Jefferson County to determine whether registers of eligibles existed in rank order for certain County job classifications, whether layoff lists existed, and to propose an interim plan for hiring, promotional and recall procedures. (*Id.* at 81-90.)

3. The Court requested that, after receiving the information, the parties confer and propose to the Court an interim proposal for the hiring of future vacancies, or if they could not agree, submit separate proposals. (*Id.*)

4. Since the conclusion of the hearing, the parties have worked to complete the interim order. Steps taken to that end include the following:

- December 13, 2012: The County notified the Court and the parties of 14 individuals who had accepted offers for employment with the County prior to the Court's Order at the conclusion of trial. After a conference call with the Court, the parties agreed that under the circumstances the contemplated hires could go forward without violating the Court's Order;
- December 13, 2012: The County sent a letter to opposing counsel, Dr. Veres and the Personnel Board identifying 229 positions in 99 classifications it anticipated hiring in the following six months;

- December 18, 2012: The Martin-Bryant Parties responded to the County's letter identifying anticipated hires over the following six months;
- December 20, 2012: The County responded to the Martin-Bryant's letter;
- December 21, 2012: Counsel for the County, the Martin-Bryant Parties, the United States, the Personnel Board and Dr. Veres held a telephone conference to discuss the interim order. The County agreed to provide a revised and prioritized list of hires and the Martin-Bryant Parties agreed to prepare the first draft of an interim order;
- January 7, 2013: The County circulated a revised list of 112 positions in 58 job classifications that it may hire in the following six months;
- January 9, 2013: The Martin-Bryant Parties circulated a proposed interim order;
- January 14, 2013: The Personnel Board provided the availability of certification lists, registers and layoff lists with race and gender for the job classifications included in the County's January 7 correspondence;
- January 18, 2013: The County notified the parties of an urgent need to hire 14 positions in 6 classifications, and requested agreement that the County be permitted to fill those positions;
- January 22, 2013: The County provided its comments and proposed revisions to the draft interim order;
- January 22, 2013: The Martin-Bryant Parties responded to the County's January 18 request, stating no objection to the hire of 11 persons in three classifications, and agreeing the Board should be requested to develop a register of eligibles for the remaining three positions;
- January 23, 2013: The United States responded to the County's January 18 request, stating no objection to the County's proposal;
- January 23, 2013: The Martin-Bryant Parties requested additional information from the Personnel Board regarding the nature of its selection devices;
- January 24, 2013: The County filed a motion for an Order permitting the hire of the positions listed in the County's January 18 correspondence;
- January 28, 2013: The Court granted the County's motion;
- January 30, 2013: The Personnel Board responded to the Martin-Bryant Parties' request with certain information and indicated they were working on obtaining the additional information requested on January 23.

5. As evidenced from the above recitation, the parties have been working continuously towards an interim order to govern hiring by the County until such

time as the Court issues its formal written opinion on the Martin-Bryant Parties' Contempt Motion.

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